

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CITY OF
TULSA, OKLAHOMA,**

scheduled for Wednesday, August 23, 2023, at 5:00 P.M in the City Council Chamber, One Technology Center, 175 E. 2nd St., Second Floor, Tulsa, OK, to transact all business as set out in Notice and Agenda posted in the Office of City Clerk, Room 260, One Technology Center, 175 E. 2nd St., Second Floor, Tulsa, OK on Friday, August 18, 2023, at 3:30 P.M.

CALL TO ORDER

Chair Patrick called the meeting to order at 5:26 P.M.

ROLL CALL:

Hall-Harper	Absent	Bengel	Present
Cue	Present	Decter Wright	Present
Patrick	Present	Lakin	Present
Bellis	Present	Fowler	Present
Miller	Present		
	Present:	8	
	Absent:	1	

STAFF PRESENT

Jack Blair, City Attorney
Lori Doring, Secretary to the Council
Marissa Gomez, Council Staff

1. RECEIPT & FILING OF MINUTES

- a. Minutes of Regular Meeting held at 4:00 PM on July 19, 2023. [CC 8/23/23] 23-695-1
- b. Minutes of Regular Meeting held at 5:00 PM on July 19, 2023. [CC 8/23/23] 23-695-2

Councilor Lakin moved to approve 1.a – 1.b. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		
Yeas: 8	Nays: 0	Absent: 1	Abstentions: 0

Motion carried.

2. APPOINTMENTS & REAPPOINTMENTS

- a. Maia V. Treleaven – Appointment to the Sales Tax Overview Committee replacing Jesse Guardiola; term expires December 31, 2024. (CD-6) [PW 8/9/23; CC 8/23/23] 23-655-1
- b. Jacqueline Price Johannsen – Appointment to the Tulsa Preservation Commission replacing Chris Bumgarner; term expires October 1, 2026. (CD-4) [UED 8/9/23; CC 8/23/23] 23-639-1

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- c. Nathalie Cornett – Appointment to the Infrastructure Development Advisory Board replacing Andy Shank; term expires September 30, 2026. (CD-4) [PW 8/9/23; CC 8/23/23] 23-654-1
 - d. Cynthia McGhee – Reappointment to the Tulsa City/County Library Commission; term expires July 31, 2026. (Attended 4/10 meetings.) (CD-8) [PW 8/9/23; CC 8/23/23] 23-641-1
 - e. Robert Winchester – Reappointment to the HUD Community Development Committee; term expires June 30, 2025. (Attended 11/12 meetings.) (CD-4) [UED 8/2/23; UED 8/9/23; CC 8/23/23] 23-632-2
 - f. Peter Grant – Reappointment to the Tulsa Preservation Commission; term expires October 1, 2026. (Attended 53/65 meetings.) (CD-4) [UED 8/9/23; CC 8/23/23] 23-640-1

Public Comments:
John Huffines – 2.a – 2.f.

Councilor Lakin moved to approve 2.a – 2.f. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		
Yeas: 8	Nays: 0	Absent: 1	Abstentions: 0

Motion carried.

3. PUBLIC HEARINGS

- a. No items this week.

4. MAYOR’S ITEMS

- a. Mayor's report on community events, briefing on City activities, City efforts, and new business.

There was no report.
- b. Consideration and possible approval, adoption, denial, amendment or revision of a Resolution authorizing payment of eighty-five thousand dollars (\$85,000.00) to Shirley Fuller, Plaintiff Grant Carpenter, Attorney at Law, Spine and Orthopedic Specialists, PT Specialists of Tulsa, and Eastern Oklahoma Wellness Center, from the Sinking Fund as a judgment and attorney fee award in Case No. CJ-2022-76, Shirley Fuller v. City of Tulsa. **(Emergency Clause)** [PW 8/23/23; CC 8/23/23] 23-685-2
- c. Consideration and possible approval, adoption, denial, amendment or revision of a License Agreement between the City of Tulsa and Santa Fe Crossing Multifamily, LLC for property located at 505 E. 2nd St., Tulsa-Original Town Addition, for removable canopies. (CD-1) [PW 8/9/23; CC 8/23/23] 23-645-2
- d. Consideration and possible approval, adoption, denial, amendment or revision of a Sanitary Sewer Easement Donation by Metropolitan Tulsa Transit Authority of property located in the vicinity of 1428 E. 5th Pl., Parcel 1A, Sunset Addition, for the MTTA 5th Place Sewer Easements Project. (CD-1) [CC 8/23/23] 23-662-1

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- e. Consideration and possible approval, adoption, denial, amendment or revision of a Sanitary Sewer Easement Donation by Metropolitan Tulsa Transit Authority of property located in the vicinity of 1428 E. 5th Pl., Parcel 2A, Factory Addition, for the MTTA 5th Place Sewer Easements Project. (CD-1) [CC 8/23/23] 23-663-1
 - f. Consideration and possible approval, adoption, denial, amendment or revision of a donation from Tulsa Community Foundation to City of Tulsa for tools and for two (2) Scholarship Applicants to attend the Learning with a Wrench program valued at five thousand dollars (\$5,000.00). [CC 8/23/23] 23-669-1
 - g. Consideration and possible approval, adoption, denial, amendment or revision of a travel donation from the Aspen Institute in the amount of one thousand, six hundred dollars (\$1,600.00) for James Wagner to travel to Washington D.C. on October 18, 2023, to attend the Bloomberg CityLab 2023. [CC 8/23/23] 23-671-1
 - h. Consideration and possible approval, adoption, denial, amendment or revision of a deaccession of sacred objects representing one (1) pipe bowl and stem and two (2) baskets to the Paskenta Bank of Nomlaki Indians, from the Gilcrease Museum in accordance with the Native American Graves and Repatriation Act (NAGPRA) and federal regulations. [CC 8/23/23] 23-682-1
 - i. Consideration and possible approval, adoption, denial, amendment or revision of a deaccession of one (1) wooden rattle to the Jamestown S'Klallam Tribe, from the Gilcrease Museum in accordance with the Native American Graves and Repatriation Act (NAGPRA) and federal regulations. [CC 8/23/23] 23-683-1
 - j. Consideration and possible approval, adoption, denial, amendment or revision of a deaccession of Ancestral remains of fifty-six (56) individuals and one hundred one (101) associated funerary objects to the Caddo Nation, from the Gilcrease Museum in accordance with the Native American Graves and Repatriation Act (NAGPRA) and federal regulations. [CC 8/23/23] 23-684-1
 - k. Consideration and possible approval, adoption, denial, amendment or revision of an Access Easement Donation by John 3:16 Mission, Inc. of property located at 575 N. 39th W. Ave., Parcel 501, Unplatted (Osage County), for the John 3:16 Mission Hardesty Renew Center Project. (CD-1) [CC 8/23/23] 23-686-1
 - l. Consideration and possible approval, adoption, denial, amendment or revision of a donation from Schnake Turnbo Frank, Inc. to the Tulsa Police Department for services to provide market research to support recruitment efforts for the TPD Recruitment Campaign valued at forty-one thousand, two hundred fifty dollars (\$41,250.00). [CC 8/23/23] 23-687-1
 - m. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Live Nation Rock Concert scheduled for August 16, 2023, at 800 S. Delaware Ave. (CD-4) [CC 8/23/23] 23-667-1
 - n. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Festival Sunday scheduled for September 10, 2023, at 700 S. Boston Ave. (CD-4) [CC 8/23/23] 23-666-1

Public Comments:

Nancy Moran – 4.g.

James Alexander, Jr. – 4.g.

Bernice Alexander – 4.g.

John Huffines – 4.k, 4.l, 4.n.

Councilor Lakin moved to approve 4.b – 4.n with the emergency clause on 4.b.
Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		
Yeas: 8	Nays: 0	Absent: 1	Abstentions: 0

Motion carried.

5. AUTHORITIES, BOARDS & COMMISSIONS

- a. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application Z-7705 from AG to IM for property located south of the SE/c of Highway 169 and E. 56th St. N. requested by Nathan Cross. (Property owner: Greenhill Properties c/o Nathan Cross) (CD-3) (TMAPC voted 4-3-1 to recommend **APPROVAL** of IM zoning.) [UED 8/2/23; CC 8/23/23; CC 8/30/23] 23-610-2

David Charney, representing the applicant, addressed the Council.

Public Comments:
Pamela Kirk
Ashley Parks
Caiden Catcher
Marsheila Prior

Councilor Cue left the meeting at 6:09 P.M. and returned at 6:11 P.M.

Councilor Bellis left the meeting at 6:15 P.M. and returned at 6:16 P.M.

There was Council discussion.

Susan Miller from the Tulsa Planning Office addressed the Council.

Councilor Lakin moved to approve 5.a. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		
Yeas: 8	Nays: 0	Absent: 1	Abstentions: 0

Motion carried.

6. ORDINANCES - FIRST READING

- a. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2023-2024 budget to make supplemental appropriations of one hundred ninety-four thousand, seven hundred thirty-four dollars (\$194,734.00). One hundred eighty-five thousand dollars (\$185,000.00) recognized from unappropriated fund balance, one thousand dollars (\$1,000.00) from revenues received from the Tulsa Community Foundation (TCF), and eight thousand, seven hundred thirty-four dollars (\$8,734.00) from revenues received

from Insurance Reimbursement within the General Fund. [UED 8/23/23; CC 8/23/23; CC 8/30/23] 23-672-2

- b. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2023-2024 budget to make supplemental appropriations of two million, two hundred sixty-five thousand dollars (\$2,265,000.00) recognized from a transfer of revenue from the General Fund within the Facilities Maintenance Fund. (Facility Condition Assessment Projects) [UED 8/23/23; CC 8/23/23; CC 8/30/23] 23-673-2
- c. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2023-2024 budget to transfer available appropriations of two hundred five thousand dollars (\$205,000.00) between departments within the General Fund. (FY 24 Salary Moves) [UED 8/23/23; CC 8/23/23; CC 8/30/23] 23-674-2
- d. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2023-2024 budget to make supplemental appropriations of one hundred sixty-six thousand, five hundred seventy-five dollars (\$166,575.00) from grant revenues to be received from the Oklahoma Highway Safety Office within the Traffic Enforcement SubFund. (2023 Oklahoma Highway Safety Office (OHSO) Traffic Enforcement Grant Award) [UED 8/23/23; CC 8/23/23; CC 8/30/23] 23-675-2
- e. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2023-2024 budget to make supplemental appropriations of eight thousand dollars (\$8,000.00) from grant revenues to be received from the Oklahoma Highway Safety Office SubFund and to transfer unencumbered and unexpended appropriation balances of one thousand dollars (\$1,000.00) between departments and account groups within the Traffic Enforcement SubFund. (2023 Oklahoma Highway Safety Office (OHSO) Traffic Enforcement Grant Award) [UED 8/23/23; CC 8/23/23; CC 8/30/23] 23-676-2
- f. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2023-2024 budget to make supplemental appropriations of twenty-five thousand, three hundred ninety dollars (\$25,390.00) from grant revenues to be received from the Oklahoma Highway Safety Office within the Tulsa Police Department Motorcycle Safety SubFund. (2023 Oklahoma Highway Safety Office (OHSO) TPD Motorcycle Safety Grant Award) [UED 8/23/23; CC 8/23/23; CC 8/30/23] 23-677-2
- g. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2023-2024 budget to make supplemental appropriations of five thousand dollars (\$5,000.00) from donation revenues received from the Tulsa Community Foundation within the General Government Non-Federal Grants SubFund. (Learning With a Wrench Program) [UED 8/23/23; CC 8/23/23; CC 8/30/23] 23-678-2
- h. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2023-2024 budget to make supplemental appropriations of two hundred thirty thousand dollars (\$230,000.00) from grant revenues received from the United States Treasury American Rescue Plan Act (ARPA) SubFund. (Day Center Kennel Facilities) [UED 8/23/23; CC 8/23/23; CC 8/30/23] 23-679-2
- i. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2023-2024 budget to make supplemental appropriations of one million dollars (\$1,000,000.00) from unassigned fund balance in the Pandemic Relief Recovery Fund. (21st Street Market) [UED 8/23/23; CC 8/23/23; CC 8/30/23] 23-680-2

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- j. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance closing a Public Way requested by Ryan Fitzgerald, JKJ Realty Company, closing a section of a public way that is part of the Woodland Park Subdivision, located near 3898 N. Memorial Dr., to accommodate future sale and development of the property. (CD-3) [PW 8/23/23; CC 8/23/23; CC 8/30/23] 23-681-2
- k. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending Title 55, Tulsa Revised Ordinances, titled "Property Maintenance Code", enacting a new Chapter 11, titled "Residential Rental Occupancy Standards", stating the purpose and defining terms used, establishing the duties and authority of the Code Official, establishing minimum standards for the maintenance of residential rental dwelling units and properties. **(Emergency Clause)** (Cue, Bellis, Decter Wright, Lakin) [PW 8/23/23; CC 8/23/23; CC 8/30/23] 23-696-2
- l. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending Title 55, Tulsa Revised Ordinances, titled "Property Maintenance Code"; amending Chapter 1, "General Rules of Property Maintenance"; amending Section 103, "Enforcement", amending Section 104, "Duties and Powers of the Code Official", Subsection 106.2, "Inspections", by adding a new Subsection 104.2.1, titled "Engagement of Professional Expertise"; amending Section 106, "Violations", Subsection 106.6, "Property Manager", regarding the requirement of a local contact person and adding a new Subsection 106.6.1 titled "Local Contact Person", detailing a contact person's responsibilities; amending Section 108, "Unsafe Structures and Equipment", Subsection 108.1, "General", by repealing a duplicate Subsection 108.1; amending Section 110, "Appeal" to clarify procedures for appeals, from an action of the code official, prescribing the hearing officer's authority, and adding procedures for appeals to the City Council; adding a new Section 111, titled "Administrative Equivalencies", to provide for relief from strict compliance with the code in extraordinary circumstances; amending definitions for "Code Official" and "Dwelling Unit" within Chapter 2, "General Principles and Interpretation", Section 201, "Definitions - General"; amending Chapter 3, "Structure and Premises Standards", Section 304, "Exterior Structure", Subsection 304.18, "Building Security", Subsection 304.18.1, titled "Doors" by repealing a duplicate subsection 304.18.1; amending Sections 802, 803, 804, 805, and 806 of Chapter 8, "Chronic Nuisance Properties". **(Emergency Clause)** (Cue, Bellis, Decter Wright, Lakin) [PW 8/23/23; CC 8/23/23; CC 8/30/23] 23-697-2

Without objection, items 6.a – 6.l were forwarded to the next Council meeting.

7. ORDINANCES - SECOND READING

- a. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Ordinance Z-7723 from RS-3 to MX3-U-U for property located south of the SE/c of E. 41st St. S. and S. Peoria Ave. requested by Tulsa City Council c/o Nordic, LLC. (Property owner: Nordic, LLC) (CD-9) (TMAPC voted 7-0-0 to recommend **APPROVAL** of MX3-U-U zoning.) [UED 8/2/23; CC 8/9/23; CC 8/23/23] 23-633-3
- b. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2023-2024 budget to make supplemental appropriations of five hundred thousand dollars (\$500,000.00) from revenues to be received from the American Rescue Plan Act (ARPA) Tulsa County Grant Subfund. (New Tulsa Animal Shelter HVAC equipment.) [UED 8/9/23; CC 8/9/23; CC 8/23/23] 23-642-2
- c. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending Tulsa Revised Ordinances, Title 5, "Boards, Commissions and Committees," Chapter 7, "Mayor's Commission on the Status of Women"; changing the name of this Commission to "Tulsa Women's

Commission"; changing the name everywhere it appears in Chapter 7; changing the name where it appears in Chapter 1 of Title 5, Tulsa Revised Ordinances. [PW 8/9/23; CC 8/9/23; CC 8/23/23] 23-643-2

Public Comments:
James Alexander, Jr. – 7.b.
Cody Elkin – 7.c.
John Huffines – 7.c.

Councilor Lakin moved to approve 7.a – 7.c. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 8 Nays: 0 Absent: 1 Abstentions: 0

Motion carried.

8. COUNCIL ITEMS

- a. Councilors’ announcements and reports on current community events, activities, efforts, and concerns. Other than announcements and reports, no discussion will ensue.

Councilor Cue announced that she would be holding a meeting with Tulsa Transit in District 2 on August 28, 2023, and that there would be a District 2 Townhall on August 29, 2023. Councilor Bellis spoke about a meeting regarding housing and homelessness in Downtown Tulsa. Councilor Decter Wright and Councilor Lakin spoke about a meeting regarding road projects in South Tulsa. Councilor Patrick announced that there would be an open meeting forum in September for the Equality Center.

Public Comments:
John Huffines – 8.a.

Councilor Patrick recused at 7:16 P.M.

- b. Consideration and possible approval, adoption, denial, amendment or revision of a registration donation from the Tulsa Regional Chamber of Commerce in the amount of one thousand dollars (\$1,000.00) for Councilor Patrick to travel to Austin, TX on October 2-4, 2023, to attend the InterCity Visit 2023. [CC 8/23/23] 23-668-1

Public Comments:
James Alexander, Jr. – 8.b.
Bernice Alexander – 8.b.

Councilor Lakin moved to approve 8.b. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Absent	Lakin	Yea
Bellis	Yea	Fowler	Yea

Miller	Yea		
Yeas: 7	Nays: 0	Absent: 2	Abstentions: 0
Motion carried.			
Councilor Patrick returned at 7:24 P.M.			

9. **NEW BUSINESS**

- a. No items this week.

Councilor Miller left the meeting at 7:25 P.M.

10. **HEARING OF APPEALS**

- a. Hearing and possible action upholding or denying an appeal to the City Council requested by Marc Bullock, contesting the decision of an administrative appeal to the Engineering Services Director regarding the decision of the Streets & Stormwater Director, project BLDR 151817-2023, finding that the request for Fee in Lieu Option for a portion of Sidewalk located in the vicinity of 6312 E. 119th St., Crestwood-6312 Project, be denied. The City Council may reverse or affirm the decision of the Engineering Services Director. Only the issues raised as the basis of the appeal to the Engineering Services Director and documents submitted to and considered by the Director shall be reviewed and heard by the City Council. [CC 8/23/23] 23-691-1

Councilor Miller returned at 7:28 P.M.

Terry Ball, Director of the Public Works Department, addressed the Council.

The appellant, Mark Bullock, addressed the Council.

Councilor Bengel left the meeting at 7:42 P.M and returned at 7:45 P.M.

There was Council discussion.

Councilor Lakin moved to approve the appeal for the request for Fee in Lieu Option for a portion of Sidewalk located in the vicinity of 6312 E. 119th St., Crestwood-6312. The developer committed to removing the gate upon permit approval. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		
Yeas: 8	Nays: 0	Absent: 1	Abstentions: 0
Motion carried.			

11. **HEARING OF PUBLIC COMMENTS**

- a. No items this week.

12. **ADJOURNMENT**

- a. Adjournment.

Chair Patrick adjourned the meeting at 7:58 P.M.

Crista Patrick, Chair of the Council

Lori Doring, Secretary to the Council